

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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International Decision Systems, Inc.,

File No. 18-cv-02951 (ECT/DTS)

Plaintiff,

v.

**ORDER**

JDR Solutions, Inc.,

Defendant.

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Plaintiff International Decision Systems, Inc. filed a motion to dismiss the counterclaims brought by Defendant JDR Solutions, Inc. on June 28, 2019. ECF No. 73. JDR responded to International's motion by filing amended counterclaims on July 26, 2019. ECF No. 91; *see* Fed. R. Civ. P. 15(a)(1)(B) (providing that "[a] party may amend its pleading once as a matter of course within . . . 21 days after service of a motion under Rule 12(b)"); July 22, 2019 Order [ECF No. 90] (granting enlargement of time to file an amended counterclaim). JDR did not file a memorandum of law responding to International's motion, and International has not withdrawn its pending motion to dismiss.

As a result of JDR's amended counterclaims, the original counterclaims brought in its Answer [ECF No. 64] are no longer operative, and International's motion to dismiss the original counterclaims is moot. Therefore, the Court will deny International's motion as moot. *See* Local Rule 7.1(g)(6). The Court's order is without prejudice to International's right to file a motion regarding the amended counterclaims.

**IT IS HEREBY ORDERED THAT** Plaintiff International Decision Systems, Inc.'s motion to dismiss [ECF No. 73] is **DENIED AS MOOT**.

Dated: July 30, 2019

/s/Eric C. Tostrud  
Eric C. Tostrud  
United States District Court